

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 2876 – SB 3584

February 18, 2010

SUMMARY OF BILL: Removes the authority of the Division of Regulatory Boards or individual boards or commissions to assess the costs of an investigation or hearing of disciplinary action to the person or entity required to be licensed or registered with the state.

ESTIMATED FISCAL IMPACT:

State Revenue - Net Impact - Not Significant/Division of Regulatory Boards

Other Fiscal Impact – Removing the authority for a specific board or commission to recoup the costs of a hearing will result in a decrease in revenue. Fiscal Review Committee staff is unable to determine the amount of any decrease in revenue as the Department of Commerce and Insurance was unable to provide information on the amount collected, if any, from licensees and was unwilling to collect the data for this fiscal note.

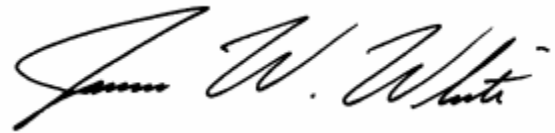
Assumptions:

- Each regulatory board is required to pay the costs for a hearing. These costs are paid to the Department of Commerce and Insurance as a cost-back charge. The Department of Commerce and Insurance will not incur a direct reduction in revenue or increase in expenditures as a result of the removal of this authority.
- There were 19 formal hearings in 2009 for a total cost of \$41,041.50. According to the Department, there is a current backlog of approximately 500 cases that may result in a hearing which could increase the number of hearings held per year.

- According to the Department of Commerce and Insurance, individual board or commission may raise fees to off-set the loss in revenue. Pursuant to Tenn. Code Ann. § 4-3-1011, all health-related boards are required to be self-supporting over a two-year period.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large initial "J" and a long horizontal stroke extending to the left.

James W. White, Executive Director

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